IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 15th day of June, 2002

Criminal Misc. Bail Application Number 571of 2002

Order on the Bail Application

CRIMINAL SIDE

Balbeer Singh, son of Sri Naunihal Singh, resident of village Chimna, Patti Idiyakot Mall, Tehsil Lansdown, District Pauri Garhuwal

……..Applicant(s)

Versus

State of Uttaranchal.

……Opposite Party

Arising out of – Case crime no. 63 of 2002,
Under Sections 302 and 427 of I.P.C.,
Patti Idiyakot, Malla I,
Tehsil Lansdown,
District Pauri Garhuwal

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant and the learned A.G.A.

Perused the F.I.R. as a result of the brick-batting from the roof of the house the victim sustained injury on the head.

It has been submitted that the case at the most falls under the provisions of Part II of section 304 of I.P.C. as there was no menrea or intention to commit the murder.

Considering the allegations of the F.I.R. I am of the view that it is a fit case for bail.

Let the applicant Balbeer Singh, son of Sri Naunihal Singh, resident of village Chimna, Patti Idiyakot Mall, Tehsil Lansdown, District Pauri Garhuwal be released on bail in case crime no. 63 of 2002, under sections 302 and 427 of Indian Penal Code, Patti Idiyakot, Mall I, Tehsil Lansdown, District Pauri Garhuwal on his filing a personal bond and adequate sureties to the satisfaction of C.J.M., Pauri Garhwal.

(Irshad Hussain, J.)

15.06.2002/B.